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C O N F I D E N T I A L SECTION 01 OF 03 ADDIS ABABA 001753

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E.O. 12958: DECL: 04/08/2019

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SUBJECT: ETHIOPIAN HUMAN RIGHTS COMMISSION REPORTS ON
PRISON CONDITIONS -- ABYSMAL

REF: ADDIS 737

Classified By: Ambassador Donald Yamamoto. Reasons 1.4 (b) and (d).

Summary

1. (C) The Ethiopian Human Rights Commission (EHRC) released its first-ever thematic report on prison conditions in Ethiopia in December 2008. The report sheds light on inadequate prison conditions - including overcrowding, unhygienic conditions, insufficient medical care, food, water, and education opportunities - and human rights violations occurring within the prisons. Interestingly, the conclusions of the report are inconsistent with the content, stating that "the visits did not identify major problems in terms of respect for basic human rights." EHRC Deputy Director Demoze Mame told PolOff that while most prison officials expressed a desire to improve prison conditions, some government officials criticized the report for "tarnishing Ethiopia's reputation" as the government cannot afford to implement the proposed recommendations. EHRC and the Parliament's Legal and Administrative Affairs Standing Committee have articulated plans to follow up later this year to see what measures prison officials have taken to improve prison conditions, though no date has been set. As the Ethiopian Government's human rights body, EHRC has been notorious for ignoring, glossing over, or under-reporting abuses. While the content of this report suggests greater openness than we've seen in the past from EHRC, it is reasonable to expect that the report's findings still under-play the extent of abuses in Ethiopian prisons. End Summary.

2. (U) The EHRC report is based on a series of visits made by EHRC officials to 35 correctional facilities and police stations around the country during the 2007/2008 fiscal year. The report indicated that there are 120 prisons throughout Ethiopia, housing 80,974 prisoners, of which 2,123 are women and 487 are children living in prison with a parent. While EHRC did not have problems gaining access to most prisons, local officials in Jijiga prevented it from visiting the correctional facility there.

Human Rights Violations

3. (C) Though the EHRC report describes several serious human rights violations occurring in some prisons (described below), the report concludes by stating that "the visits did not identify major problems in terms of respect for basic human rights." Ethiopia's constitution, as well as international conventions that Ethiopia has ratified, grants

prisoners the right to a speedy trial, to be presumed innocent, and to be released on bail. However, the EHRC investigation found that the overwhelming majority of detainees in Ethiopia's prisons are being held on pending charges. For example, only ten percent of prisoners in Gambella prison have been convicted and 46 percent in Addis Ababa. In mid-May, presenting a ten-month performance report to Parliament, the Director General of the Federal Police reported that of the 45,000 criminal cases filed at the federal first instance court last year, 65 percent of the cases were eventually dropped due to lack of evidence. In addition, the report noted that a lack of modern record-keeping systems in all except one prison (in Dessie) has resulted in prisoners not benefiting from parole and not receiving credit for time served.

¶4. (C) The EHRC report states that most prisons have complaint mechanisms accessible to inmates. In some prisons the regional prison administrator visits the prison every two weeks to solicit and discuss complaints with prisoners. However, inmates in some facilities complained that they are pressured by prison workers not to take their complaints to the appropriate officials. EHRC reports that this denial of access to complaint mechanisms "has had severe human rights consequences. For instance, three in four inmates in the Gambella Correctional Center are still awaiting judgment on their cases while around 90 percent of inmates within this group have never been brought to a court of law." Despite this quote from within the EHRC report, in the conclusion it states, "The rights of inmates to lodge complaints with the administration...are respected."

ADDIS ABAB 00001753 002 OF 003

¶5. (C) According to the information the EHRC team gathered, prisoners have a good relationship with prison administrators in most prisons. However, prisoners in Tembien, Jimma, Chiro, Nekempt, Adama, Asosa, Adabi Toli, Benishangul, and Gambella complained to EHRC officials of beatings, psychological abuse, and labor exploitation (mainly of females). The EHRC report states that "prisoners at Benishangul prison reported unusual forms of punishment such as beatings, suffocation by immersion in barrels of water, forcing inmates to roll on wet mud, sprinkling water on inmates' bodies prior to beatings, cuffing, and humiliating insults." Despite these published reports, Pastor Daniel Gebreselassie (known as Pastor Dan) of Justice for All/Prison Fellowship Ethiopia (JFA-PFE- an NGO that seeks to improve prison conditions), recently told PolOff that there is no torture occurring in Ethiopia's prisons.

¶6. (C) PolOff has received several reports of beatings, torture, and abuse in Ethiopia's non-traditional detention facilities from individuals who were formerly detained (Reftel). JFA-PFE Pastor Dan visited Ma-ekelawi jail recently, which is notorious for its reputation as a center of torture. Pastor Dan interviewed some prisoners (trusted, long-term contacts of his) who reported that they had been beaten and tortured. When Pastor Dan raised this with the Police Commissioner, the Commissioner denied the allegations, stating that their policy did not allow for torture. Pastor Dan offered to interview the prisoners in the presence of the Police Commissioner, which Pastor Dan expects may happen in August.

Insufficient Health Care, Food, Water

¶7. (U) According to JFA-PFE Pastor Dan, the government provides eight birr per day (USD 0.60) per prisoner for food, water, and health care. (NOTE: Ten years ago the government provided one birr per day, according to JFA-PFE. END NOTE). EHRC reported that it has major concerns about health care problems observed in prisons. Some prisons do not have clinics, and most do not have adequate medical supplies and health personnel. Some prisons refer seriously ill prisoners

to government hospitals, but in some regions privatized health care facilities prevent prisoners from being treated free of charge. In Almata prison in Tigray, prisoners referred to hospitals for treatment are required to cover transportation expenses and pay police to escort them to the hospital. EHRC reported that some prisoners die because of absence of sufficient health care, notably in Shashamene Correctional Facility where four people died during an epidemic.

18. (U) EHRC found that in Tigray, SNNPR, Oromiya, Afar, and Amhara regions (most of the country) the quality and quantity of food given to prisoners is insufficient. Most prisoners rely on supplemental food brought in by family members and friends. There are serious shortages of water (sometimes for several weeks at a time) in Adab Toli prison, Afar region, and Adwa prison (Tigray). In several other prisons, inmates receive only one liter of water per day. The water shortages cause unhygienic conditions, and most prisons lack appropriate sanitary facilities. Since most correctional facilities are overcrowded and many are located in warm climates, EHRC designated shortage of water as a "pressing problem deserving serious attention."

Unhygienic and Overcrowded

19. (U) EHRC reports that "the sanitary services in most of the correctional facilities in our country do not fulfill the appropriate conditions for the humane treatment of inmates." Many of the prisons were built prior to the 1950's for temporary detention or other purposes (i.e. residences, warehouses). Though the number of prisoners has increased dramatically, few prisons have been built or modified since then, resulting in overcrowded and unhygienic conditions in many prisons. EHRC reported that most prisons have separate buildings for men, women, and juvenile offenders, as well as rooms for training and education, places of worship (except Adab Toli and Mekele), a medical facility, kitchen, and restrooms (except Abyi-adi). However, these areas often serve many more prisoners than regulations allow. In many

ADDIS ABAB 00001753 003 OF 003

facilities inmates use containers as toilets at night, and consequently the crowded sleeping quarters are "permeated with a fetid odor." According to article 36(3) of the constitution, juvenile defenders should be kept separately from adults. However, in all prisons except Jima juvenile offenders share bedrooms with adults, sometimes even with adults serving a death sentence. In Welkite prison, female prisoners share rest rooms with prison employees.

Reports of Underground Prisons

110. (C) PolOff continues to receive reports from several sources that underground prisons are operating throughout the country. Most are located at military camps but are allegedly used as overflow detention centers following mass arrests. These underground prisons are allegedly located in Dedesa, Bir Sheleko, Tolay, Hormat, Bulate, Tatek, and Senkele. JFA-PFE Pastor Dan informed the Ambassador in early June that there is an underground prison in Jijiga where 250 people are detained under joint National Intelligence Security Services (NISS) and Federal Police control. However, in a mid-July meeting Pastor Dan told PolOff that he does not think that there are underground prisons in Ethiopia.

EHRC Recommendations and Backlash

111. (C) Following the investigation, EHRC's recommendations include increasing food, medical, and education budgets, constructing new buildings, supplying water tankers, establishing treatment centers for mentally ill prisoners,

expediting pending court cases, clarifying pardon procedures, facilitating prison visits for executive, judiciary, and human rights organizations, establishing regular communication channels with prisoners and prison administrators, ensuring female prisoners have equal access to education, and ensuring that prisoners are informed of their rights and that those rights are respected. An EHRC official told PolOff that EHRC and the Parliamentary Legal and Administrative Affairs Standing Committee plan to establish a team to follow up on recommendations, but no action has been taken to date. When asked whether EHRC received any backlash as a result of publishing the critical report, EHRC Deputy Director Demoze Mame said that while most prison officials expressed a desire to improve prison conditions, a few government officials criticized the report for "tarnishing Ethiopia's reputation" since the government cannot afford to implement the recommendations.

Comment

¶12. (C) Though EHRC is technically an independent body, it is widely perceived as loyal to the ruling party and is rarely critical of the government. EHRC's report appears to corroborate other reports of serious human rights violations occurring in Ethiopia's prisons. Particularly alarming is the fact that 65 percent of detainees held in Ethiopia's prisons and jails are eventually released due to lack of evidence. Post will attempt to gain access to prisons and jails to assess the conditions first-hand. Additionally, Post will closely monitor whether any measures are taken to improve prison conditions and to decrease the occurrence of human rights violations.
YAMAMOTO